

CASE NUMBER: 034252/2022

NOTICE OF MOTION (Motion #003) - Dismiss Amended Complaint

Document prepared for:
kevin barlow

CASE NAME

Rosemarie Mckinnis Est Of, Kathleen Mckinniss, Carin Rosado, James Finn Est Of, Geraldine Finn Exr v. Ecohealth Alliance Inc, Peter Daszak, Janet D Cottingham Aka, Janet Dasz...

CASE FILING DATE

Oct. 5th, 2022

DOCUMENT FILED DATE

Feb. 21st, 2023

COUNTY

Rockland county, NY

JUDGE

Sherri L Eisenpress

CATEGORY

Torts - Environmental (SARS-COV-2)

STATUS

Active

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ROCKLAND

IN RE SARS-CoV-2;

KATHLEEN MCKINNISS, PROPOSED
REPRESENTATIVE OF THE ESTATE OF
ROSEMARIE MCKINNISS, DECEASED; CARIN
ROSADO, individually; and GERALDINE FINN, AS
EXECUTOR OF THE ESTATE OF JAMES FINN,
DECEASED, DAVID CADDOO, EXECUTOR OF
ESTATE OF PATRICIA MARIE CADDOO,
DECEASED; MELANIE SMITH, EXECUTRIX OF
ESTATE OF ROBERT SENDZISCHEW,
DECEASED; KIMBERLY J. LEWIS, EXECUTRIX
OF ESTATE OF ROBERT F. LEWIS, DECEASED;
LISA PETER, PROPOSED REPRESENTATIVE OF
ESTATE OF PATRICIA A. CHISLETT,
DECEASED; and ROXANNE JONES, PROPOSED
REPRESENTATIVE OF ESTATE OF DALE JONES,
DECEASED,

Plaintiffs,

v.

ECOHEALTH ALLIANCE, INC., PETER DASZAK,
JANET D. COTTINGHAM a/k/a JANET DASZAK,
RALPH BARIC, W. IAN LIPKIN, and JOHN AND
JANE DOES 1-1000,

Defendants.

Index No. 034252/2022
(Mot Seq. #001)

**NOTICE OF
MOTION TO DISMISS**

PLEASE TAKE NOTICE that, upon the annexed Memorandum of Law, the Affirmation of Matthew R. Torsiello, dated February 21, 2023, and all exhibits annexed thereto, and upon all prior proceedings and papers had or filed herein, Defendants Peter C. Daszak, Janet D. Cottingham a/k/a Janet Daszak, and EcoHealth Alliance, Inc. ("Defendants") will move this Court, at the Courthouse at 1 South Main Street, New City, NY 10956, in the Motion Submission Part, 2nd Floor, on March 17, 2023 at 9:30 a.m., or as soon thereafter as counsel may be heard, for an Order, pursuant to CPLR 3211(a)(1), and (7), dismissing the Complaint of Plaintiffs, with prejudice, together with such other and further relief as to this Court may seem just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to CPLR 2214(b), answering papers, if any, are to be served upon the undersigned attorneys at least seven (7) days before the return date of the instant motion.

Dated: February 21, 2023
New York, NY

TARTER KRINSKY & DROGIN LLP



By: _____
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